

Subcommittee on Communications, Technology and the Internet Markup

H.R. 3125 The Radio Spectrum Inventory Act and H.R. 3019 Spectrum Relocation Improvement Act of 2009

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January 21, 2010

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Today the Subcommittee meets to approve two bipartisan measures related to the availability of the wireless spectrum which is essential to meeting our future needs for mobile communications services.

The movement of personal communications to mobile services is dramatic and accelerating. Earlier this year, it was announced that for the first time the number of homes having only a cell phone and no landline service now exceeds the number of homes having only a landline and no cellular service. At the end of 2008, there were approximately 270 million wireless subscribers in the United States, including an estimated 40 million active users of mobile Internet services.

Daily new, attractive and useful applications are added to wireless services, and data rates continue to increase as consumers require faster access to mobile applications. As more and more Americans use data-intensive smartphones and as services like mobile video emerge, the demand for spectrum to support these applications and devices will grow dramatically. Additional spectrum for commercial wireless services will be needed and it will be needed soon.

Today the Subcommittee continues its effort to ensure that these challenges are met with the goal of enhancing the consumer experience and facilitating the future growth of mobile services. The first necessary step is obtaining a thorough understanding of current spectrum users and their uses of the spectrum they have been assigned, revealing areas where relocations could occur or where spectrum sharing may be feasible.

In July, I joined with Chairman Waxman, full Committee Ranking Member Barton and Subcommittee Ranking Member Stearns in introducing H.R. 3125, the Radio Spectrum Inventory Act. This measure directs the NTIA and the FCC to undertake a comprehensive survey of the nation's spectrum and develop an inventory of each spectrum band in the U.S. Table of Frequency Allocations between 225 megahertz and 3.7 gigahertz, with a possible extension to 10 gigahertz. The inventory would include the identity of federal and non-federal users and the types of services they offer in each spectrum band and the amount of use of each band on a geographic basis.

When the inventory is completed, the NTIA and the FCC will create a website to make the inventory publicly available. They will report the results of the inventory to Congress. The report will include a description of information that could not be made publicly available for national security reasons. It will also include a recommendation of which, if any, of the least utilized blocks of spectrum should be reallocated for commercial uses. The creation of the inventory is an essential step in making available more spectrum for commercial and wireless

services and meeting the extraordinary spectrum demands the nation will soon face.

I have also joined our colleagues Jay Inslee and Fred Upton in introducing H.R. 3019, the Spectrum Relocation Improvement Act. This measure would address an urgent need, which was brought to light after the FCC auctioned the advanced wireless services spectrum in 2006. While that spectrum was auctioned more than three years ago, the winners of the commercial licenses still do not have full use of the spectrum because it has not been fully cleared of government use.

The bill would hasten the process of clearing federal users from spectrum that the government has reallocated for commercial use. It would require the NTIA to publish the transition plan of each federal entity to be relocated after a spectrum auction. It would clarify the steps federal spectrum users must take to receive payment for their relocation costs from the Spectrum Relocation Fund including a requirement that the reallocation be completed within one year.

As I said at the Subcommittee's legislative hearing on these measures in December, my goal is to move both the inventory legislation and bill speeding the reallocation of previously auctioned government spectrum through the Committee and through the House at the earliest possible time. I am pleased that today we will take the first step in that process.

I want to thank Chairman Waxman, Ranking Members Barton and Stearns, Mr. Inslee,

Mr. Upton and the members of our Subcommittee who are cosponsors of these measures, for our work together on a bipartisan basis to take steps to meet the nation's future demand for wireless spectrum.